NASA Procedural Requirements

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Subject: NASA Directives Procedural Requirements, with Change 3, dated 11/26/2007

Responsible Office: Office of Institutions and Management

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CHAPTER 4. Process Requirements for Establishing New NASA Directives, Updating Existing Directives, and Establishing Interim Directives

4.1 Introduction

4.1.1 The NODIS Document Management System (DMS) is NASA's primary tool for creating, revising, reviewing, approving, publishing, and canceling Agency-level directives. The NODIS DMS provides an electronic means to create, review, and comment on draft documents, disposition comments, concur in the directives, approve the directives, control revisions, track document history, generate reports, and publish Agency-level directives. All Agency-level directives shall be developed through the NODIS DMS.

4.1.2 The NODIS DMS coordination process shall not be used to impede the Agency's legal obligations with respect to mission accomplishment, protection of worker health and safety and protection of the public, protection of the environment, or national security.

4.2 Waivers from Agency-level Directives

> *Note: The basic concept for waiver approval is that the Responsible Office, or delegated authority, is best able to determine whether the requirement can be waived without negative impact. Those who are seeking relief from implementing a requirement can submit a written request, with justification, for approval. Organizations will be informed of approved waivers. The Office of Internal Controls and Management Systems will post approved waivers in NODIS for information.*

4.2.1 Only the Administrator or the OIC of Headquarters Office who is responsible for the Agency-level directive, or delegated authority, may waive requirements contained in the Agency-level directive.

4.2.2 The responsible OIC of Headquarters Office for the directive may delegate waiver approval authority to a lower level by documenting the delegation in the directive.

4.2.3 The waiver approval authority may approve a waiver only if it meets all of the following criteria:

a. Is not prohibited by external requirements.

b. Would not present an undue risk to public health, safety, the environment, or personnel.

c. Is justified under the circumstances (see paragraph 4.2.7 for instructions on how to prepare a justification for waiver).

4.2.4 The waiver approval authority shall only approve waivers that are based upon specific requirements within the

directive.

4.2.5 The waiver approval authority shall only approve waivers for a specific period or duration.

Note: The specific period or duration may be defined by calendar dates (i.e., From March 2006 to March 2008) or by project milestones (i.e., This waiver is in effect until disposal for XYZ Project).

4.2.6 The waiver approval authority shall notify all who have current waivers against a directive when the directive is reviewed, and request verification of continued validity.

4.2.7 NASA officials who request waivers shall document the following in the request for waiver:

a. Identification of the requirement (Directive and specific requirement(s)) for which the waiver is requested.

b. Scope (e.g., site, facility, operation, activity) and duration of the waiver request.

c. Justification for the waiver, including:

(1) Purpose/Rationale for requesting the waiver.

(2) Whether the application of the requirement in the particular circumstances described would conflict with another requirement.

(3) Whether application of the requirement in the particular circumstances would not achieve, or is not necessary to achieve, the underlying purpose of the requirement.

(4) Any other pertinent data or information related to the waiver request (e.g., cost or schedule considerations).

(5) Identification and justification of the acceptance of any additional risk that will be incurred if the waiver is granted.

d. Requests for waivers to environment, safety, health, and security requirements shall also address the following:

(1) A description of any special circumstances that warrant granting of the waiver, including whether a) application of the requirement in the particular circumstances would not be justified by any safety and health reason; b) the waiver would result in a health and safety improvement that compensates for any detriment that would result from granting the waiver; or c) there exists any other material circumstances not considered when the requirement was adopted for which it is in the public interest to grant a waiver.

(2) A description of any alternative or mitigating action that will be taken to ensure adequate safety and health and protection of the public, the workers, and the environment for the period the waiver will be effective.

4.2.8 Waiver approval authorities shall forward an electronic version of the approved waiver to the Office of Internal Controls and Management Systems for inclusion in the NODIS library within 5 working days of approving the waiver.

4.3 Establishing A New Policy Directive or Procedural Requirements

4.3.1 Responsible Offices for Agency-level directives shall use the NODIS DMS to create, coordinate, and approve any new NPD or NPR.

4.3.2 Responsible Offices for Center directives shall use local Center processes to create, coordinate, and approve any CPD or CPR.

4.3.3 Responsible Offices shall ensure that their Directives Manager is notified prior to beginning the process to establish a new directive.

4.3.4 Prereview Process (Generally referred to as Pre-NODIS Review)

4.3.4.1 The prereview process provides an opportunity for review and comment prior to the formal review to address substantive issues in order to facilitate the completion of NASA directives within the timeframe allotted. Should a Responsible Office choose to conduct a prereview, the following are standard steps in the prereview process.

a. The Responsible Office for the directive creates a draft of the new directive or the revised directive and distributes it to those affected by the directive and to those offices that the Responsible Office believes should review the draft.

Note: Local processes for prereview may have an established distribution list for directives prereviews. Consult with your local Directives Manager.

b. The Responsible Office for the directive determines the methodology for conducting the prereview.

Note: The Open Review System (https://openreview.gsfc.nasa.gov/ORSHome.cfm) is a tool that may be used to coordinate a prereview.

c. The Responsible Office coordinates, consolidates, and dispositions comments in preparation for the official review

of the directive.

4.3.5 Prior to Official Review and Approval

The Responsible Office shall submit directives (i.e., new or revised) to the Office of Human Capital Management in order to satisfy the Agency's obligation to provide the Agency's unions with a 30-day national consultation period. Confirmation that this coordination has been completed will be required on NASA Form 184 in order for the Office of Internal Controls and Management Systems to accept the directive into the NODIS system.

4.3.6 Official Review and Approval

4.3.6.1 The official review and approval processes for Agency and Center-level directives may be different. Headquarters and Center Officials responsible for establishing official review and approval process at their location shall ensure that the process includes, at a minimum, the following steps:

a. Release of the draft directive utilizing an approved method and/or forms for an official review.

b. Notification and request for review by specified organizations. This may include provisions to allow organizations an opportunity to request to be added or removed from the review.

> *Note: For Agency-level directives, the Inspector General is a mandatory reviewing office. The Responsible Office is responsible for completely dispositioning the Inspector General's comments.*

c. Review by the legal office (General Counsel for Agency-level directives; Chief Counsel for Center directives).

d. Sufficient instructions to reviewers to ensure the review adheres to the approved process and schedule.

e. A mechanism to provide feedback to reviewers indicating how their comments were incorporated, or rationale for not incorporating the reviewer's comments.

f. For Agency-level directives, in the request for review, the Responsible Office shall include an explanation of the potential impact of the new requirements, in terms of technical, financial, human resources, and potential for unintended consequences.

> *Note: Space for the explanation of potential impact is provided on the NHQ Form 184, NASA Directive Request Summary in NODIS. See Appendix F for a sample explanation of potential impact.*

4.3.7 The Concurrence Process

4.3.7.1 The lead Directives Manager shall review and concur in all directives.

> *Note: For Headquarters, this is the Agency Directives Management Team, Office of Internal Controls and Management Systems. For Centers, this is the Center Directives Manager. This concurrence demonstrates that the lead Directives Manager has verified that the directive was prepared and processed in accordance with the applicable procedures.*

4.3.7.2 The legal office shall concur in all directives (General Counsel for Agency-level directives; Chief Counsel for Center directives).

4.3.7.3 If, during the concurrence process, a reviewing official's nonconcurrence cannot be resolved with the Responsible Office, the Responsible Office shall document the nature of the impasse in the signature package.

4.3.7.4 If reviewing offices fail to respond or reply by the suspense date, the Responsible Office is permitted to assume that office's concurrence.

4.3.8 Signature Package for Agency-level Directives

4.3.8.1 The Responsible Office shall prepare a final signature package that includes the following:

a. Evidence of concurrence and the approval of the responsible OIC.

b. The original of the proposed directive.

c. A disposition of comments summary.

d. A copy of the submitted comments and their disposition.

e. Any additional documents that convey executive direction and supporting material.

f. One copy of each directive to be cancelled by the proposed directive when it is approved.

g. An explanation of the potential impact (e.g., cost, technical, human resources).

4.3.8.2 If any reviewing official has nonconcurred on the directive, the Responsible Office shall document the disagreement as part of the Executive Summary of the signature package, including:

a. An explanation for the nonconcurrence.

b. A discussion of the way in which the Responsible Office attempted to resolve the impasse and the outcome of those attempts.

c. The reason(s) the impasse remains unresolved.

d. The recommendation of the Responsible Office.

4.3.8.3 If an impasse is reached between the Responsible Office and the Inspector General, the Responsible Office shall also document the impasse in the Executive Summary of the signature package.

4.3.8.4 The Directives Manager shall process the final package for signature according to approved local procedures.

4.3.9 Signature Packages for Center Directives. Center Responsible Offices shall use established Center instructions to prepare signature packages for Center Directives.

4.3.10 Final Approval

All NPDs are signed by the NASA Administrator. NPRs are signed by the OIC of the Headquarters Office responsible for the procedural requirements or the NASA Administrator. CPDs and CPRs are signed by Center Directors or designees. When signed, a directive becomes an official NASA directive and shall be controlled in an electronic documentation library. Agency-level directives are controlled in NODIS. Center Directives are controlled in electronic libraries established at each Center.

4.4 Revising, Revalidating, or Providing Administrative Corrections to an Existing Policy Directive or Procedural Requirements

4.4.1 Responsible Offices that need to revise an existing directive to reflect changes in policy or procedural requirements shall submit the directive for review and approval in the same manner as a new directive (see paragraph 4.3).

Note: If the change to the directive only impacts limited, discrete portions (paragraphs) of the directive, the Responsible Office may elect to only submit the paragraph changes for formal review and approval, as opposed to the entire document. However, if the Office of Internal Controls and Management Systems believes the changes are too extensive for a paragraph review, the Office of Internal Controls and Management Systems may require a review of the entire document.

> *Note: The explanation of potential impacts (see paragraph 4.3.6.1.f) for revised directives need only discuss the impact of the revisions, not existing requirements.*

4.4.2 If a directive is due to expire, but the directive is current, necessary, and requires no changes, or only minor administrative changes (e.g., updates to document citations, office or position titles, or references to other established policy or externally mandated instruction that may not be altered or edited), the Responsible Office may request to revalidate the directive for a period not to exceed five years.

> *Note: Explanations of potential impacts (see paragraph 4.3.5.1.f) are not required for revalidations.*
>
> *Note: Revalidations are not be allowed on any directive that does not meet the format and content requirements found in this NPR.*

a. The Office of Internal Controls and Management Systems coordinates the revalidation process using the following process:

(1) The Responsible Office provides an e-mail request to the Office of Internal Controls and Management Systems with a list of the changes (or an electronic version of the directive showing the changes).

(2) The Office of Internal Controls and Management Systems provides e-mail notification of the intent to revalidate the directive to all Directives Managers on an exception-only basis.

(3) If there are no objections, the Office of Internal Controls and Management Systems revalidates the directive and extends the expiration date.

(4) If there are objections, the Office of Internal Controls and Management Systems determines whether the objections are valid and either approves the revalidation or requests that the document be submitted for formal review and approval.

4.4.3 If the Responsible Office needs to make administrative corrections (e.g., fixing typographical errors, updating office titles) during the life cycle of the directive, the Responsible Office may submit a request for administrative changes via e-mail to the Office of Internal Controls and Management Systems.

> *Note: Only the review and concurrence of the Office of Internal Controls and Management Systems is needed to make administrative corrections. If the Office of Internal Controls and Management Systems believes that the proposed administrative corrections change the directive's requirements, the Office of Internal Controls and Management Systems may require a formal review of the changes/corrections.*

4.4.4 For Center directives, local instructions for revising, revalidating, and making administrative corrections apply.

4.5 Creating a NASA Interim Directive (NID) or Center Interim Directive (CID)

4.5.1 The Responsible Office shall:

a. Secure written approval from the OIC and other approvals as established within the local process for the proposed interim directive (policy/requirement).

b. Document the urgent requirement for issuing an interim directive.

c. Submit the interim directive to the Directives Manager or designated organization for processing.

d. Obtain concurrence from the Office of the General Counsel for legal review.

e. Obtain concurrence from the Office of Human Capital Management to satisfy the Agency's obligation to provide the Agency's unions with a 30-day national consultation period.

f. Obtain concurrence from the Office of Procurement if the NID impacts NASA contracts, contractors, grants, or grantees.

g. Obtain concurrence from the Office of the Chief Financial Officer to ensure proper financial consideration.

> *Note: For Agency-level directives, consult with the Office of Internal Controls and Management Systems; for Center Directives, consult the Center Directives manager.*

4.5.2 The Office of Internal Controls and Management Systems shall include NIDs in the NODIS Library.

4.5.3 For Center Interim Directives, local instructions for creating interim directives apply.

4.6 Hyperlinking Other Documentation to the NODIS Library or Center Directives Library Systems

4.6.1 When a Responsible Office determines that a standard, work instruction, or guide is useful, but not appropriate for inclusion as a directive, the Responsible Office may use hyperlinking to make the related documentation available through the online directives system.

a. For Agency-level directives, the Responsible Office shall coordinate this with the Office of Internal Controls and Management Systems.

b. For Center directives, the Responsible Office shall coordinate this with the Center Directives Manager.

4.7 Case Files

4.7.1 The Office of Internal Controls and Management Systems shall manage Agency-level directives case files that include all the material included in the Approving Official's Signature Package.

4.7.2 Center directives case files are managed according to the Center's process.

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